

I hereby certify that, on the date shown below, this correspondence is being:

☐ deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

☐ under 37 C.F.R. § 1.8(a), with sufficient postage as first class mail, or

☐ under 37 C.F.R. § 1.10, as "Express Mail Post Office to Addressee Mailing Label No. \_\_\_\_\_"

☒ transmitted by facsimile to the Patent and Trademark Office, Fax Number (571) 273-7728

☐ transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(4)

Date: July 9, 2008

By:   
Christopher N. Sipes**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Mary Southam, et al.

Serial No.: 09/781,041

Filed: 02/09/2001

U.S. Patent No.: 6,425,892

Granted: 7/30/2002

Title: DEVICE FOR TRANSDERMAL  
ELECTROTRANSPORT  
DELIVERY OF FENTANYL AND  
SUFENTANIL

Confirmation No.: 9235

Examiner: Mark Bockelman

Group Art Unit: 3762

Attorney Docket No:  
ARO7828USA

Mail Stop Hatch-Waxman PTE  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313--1450

In Re: Patent Term Extension Application for U.S. Patent No. 6,425,892

Dear Commissioner:

In response to the Notice of Final Determination ("Notice") for the Patent Term Extension application for U.S. Patent No. 6,425,892 mailed January 16, 2008, ALZA Corporation ("ALZA"), patent owner of record, hereby petitions for a five-month extension of time under 37 C.F.R. § 1.136(a).

10/17/2008 RLOGAN 00000001 100750 09781041

01 FC:1255

2110.00.00

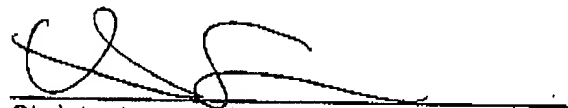
The Notice provided a response period of two months from the January 16, 2008 mailing date for filing a single request for reconsideration, the response period being extendable under 37 C.F.R. § 1.136. The five-month extension of time requested herein will extend the response date to August 16, 2008.

A petition for a four-month extension of time was submitted on June 13, 2008 with authorization to charge the requisite fee from ALZA's deposit account No. 10-0750. Thus, it is requested that a fee of \$590 for the difference of payment for the presently requested five-month extension from the four-month extension be charged at this time.

The Commissioner is hereby authorized to charge the corresponding extension fee of time fee pursuant to 37 C.F.R. § 1.136(a), and any other required fee in connection with this communication, to Deposit Account 10-0750. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

Respectfully submitted,

Date: July 9, 2008



Christopher N. Sipes  
Registration No. 39,837  
Attorney for Applicant  
Customer No. 27777

Covington & Burling LLP  
1201 Pennsylvania Ave., NW  
Washington, D.C. 20004  
Phone: (202) 662-5525  
Fax: (202) 778-5525  
Email: csipes@cov.com

PTO/SB/21 (01-08)


Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

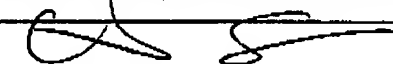
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/781,041	
	Filing Date	02/09/2001	
	First Named Inventor	Mary Southam	
	Art Unit	3762	
	Examiner Name	Mark Bockelman	
Total Number of Pages in This Submission	4	Attorney Docket Number	ARO 7828 USA

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Part/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Covington and Burling LLP		
Signature			
Printed name	Christopher N. Sipes		
Date	July 9, 2008	Reg. No.	39, 837

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Christopher N. Sipes	Date	July 9, 2008

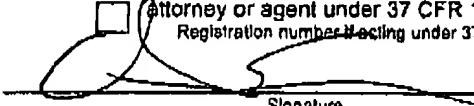
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.

PTO/SB/22 (01-00)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2008</b> <small>(Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>		Docket Number (Optional) <b>ARO 7828 USA</b>	
Application Number <b>09/781, 041</b>		Filed <b>02/09/2001</b>	
For <b>Device for electrotransport delivery of fentanyl and sufentil</b>			
Art Unit <b>3762</b>		Examiner <b>Mark Bockelman</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$460	\$230	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1050	\$525	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1640	\$820	\$ _____
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ <u>2230</u>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>10-750</u> . I have enclosed a duplicate copy of this sheet.			
<small>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</small>			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>39, 837</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number reflecting under 37 CFR 1.34 _____			
 Signature		<u>July 9, 2008</u> Date	
<u>Christopher N. Sipes</u> Typed or printed name		<u>(202) 662-5525</u> Telephone Number	
<small>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</small>			
<input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## COVINGTON &amp; BURLING LLP

1201 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004-2401  
TEL 202.662.6000  
FAX 202.662.6201  
WWW.COV.COM

BRUSSELS  
LONDON  
NEW YORK  
SAN FRANCISCO  
WASHINGTON

FACSIMILE

## DATE

July 9, 2008

TOTAL PAGES W/COVER

5

## FROM

## EMAIL

## FAX

## TEL

Covington &amp; Burling LLP

## TO

## FAX

## TEL

Patent and Trademark Office

(571) 273-7728

## REMARKS

Please see the attached.

THIS FACSIMILE TRANSMISSION IS INTENDED ONLY FOR THE ADDRESSEE SHOWN ABOVE. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL OR OTHERWISE PROTECTED FROM DISCLOSURE. ANY REVIEW, DISSEMINATION OR USE OF THIS TRANSMISSION OR ITS CONTENTS BY PERSONS OTHER THAN THE ADDRESSEE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS.

SUITE NUMBER: